



PATENT
Attorney Docket No. 0343-0007.01

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Ramiro Arrez et al.

Serial No.: 10/081,654

Filed: February 22, 2002

Examiner: Sang K. Kim

Art Unit: 3654

For: RETRACTABLE LIFTER FOR REFUSE
CONTAINER

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Date of Deposit: July 28, 2004

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NAME: Francisca M.A. Hubbard

(TYPED OR PRINTED)

SIGNATURE: Francisca M.A. Hubbard

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.97, Applicants hereby call the Examiner's attention to documents listed on the attached forms, which documents may be material to the examination of this application. Copies of these documents are enclosed herewith for the Examiner's consideration.

No inference should be drawn that any apparatus disclosed is equivalent to the subject invention. Also, the citation of the above-discussed documents is not to be construed as an assertion that more pertinent art could not possibly be in

existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

ON SALE/PUBLIC USE

Applicant also wants to bring to the attention of the Examiner the facts of certain devices being on-sale and/or in public use more than one year to certain priority dates of the present application.

Specifically, the lifter substantially as illustrated in Figures 3-11 of U.S. Patent No. 6,503,045 was on-sale and/or in public use more than one year prior to the filing date of U.S. Provisional Application No. 60/271,860 filed on February 27, 2001, to which the present application claims a benefit. In other words, the lifter substantially as illustrated in Figures

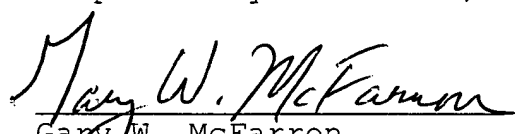
3-11 of U.S. Patent No. 6,503,045 was on-sale and/or in public use prior to February 27, 2000.

In addition, the Perkins Model D6080 lifter, as shown and described in the brochure "The Original Rotary Tuckaway," was on sale and/or in public use more than one year prior to the filing date of U.S. Provisional Application No. 60/170,204 filed on December 10, 1999, to which the present application also claims a benefit. In other words, the Perkins Model D6080 lifter, as shown and described in the brochure "The Original Rotary Tuckaway," was on sale and/or in public use prior to December 10, 1998.

It is believed that no additional fee is required for the submission of this Information Disclosure Statement. However, should an additional fee be required, authorization is hereby given to charge Deposit Account 50-1039.

Respectfully submitted,

Date: July 28, 2004



Gary W. McFarron

Registration No. 27,357

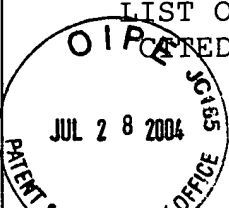
COOK, ALEX, MCFARRON, MANZO,

CUMMINGS & MEHLER, LTD.

200 West Adams Street - #2850

Chicago, IL 60606

(312) 236-8500

 <p>LIST OF PUBLICATIONS CITED BY APPLICANT</p>	Attorney Docket 0343-0007.01	Serial No. 10/081,654
	Applicant: Ramiro Arrez et al.	Title: RETRACTABLE LIFTER FOR REFUSE CONTAINER
	Filing Date: February 22, 2002	Group: 3654

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	1,475,483	11-27-23	J. Galuska			
	1,763,499	06-10-30	R. S. Bolger			
	3,040,919	06-26-62	J. R. Nolan			
	3,136,436	06-09-64	Erlinder et al.			
	3,170,580	02-23-65	Victor G. Soyko			
	3,270,902	09-06-66	E. R. Breault			
	3,279,633	10-18-66	M. J. Evers			
	3,327,876	06-27-67	B. M. Kolling			
	3,516,562	06-23-70	J.W. Knight			
	3,576,215	04-27-71	T. Cline			
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	3,730,365	05-01-73	Herpich			
	3,762,586	10-02-73	Updike, Jr.			
	3,773,197	11-20-73	Blakeley et al.			
	3,822,802	07-09-74	Evans, Jr.			
	3,837,512	09-24-74	Brown			
	3,841,508	10-15-74	Ebeling et al.			
	3,844,434	10-29-74	Blakeley et al.			
	3,861,547	01-21-75	Sink, Sr.			
	3,901,255	08-26-75	Pettit			
	3,944,092	03-16-76	Ebeling et al.			
	3,954,194	05-04-76	Stedman			
	3,964,624	06-22-76	Werder			
	3,987,999	09-07-76	Ryder			

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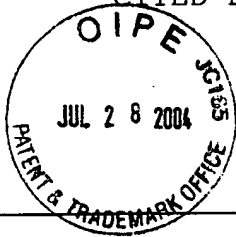
DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE

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<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP form. Draw line through citation if not in conformance and not considered.</p> <p><i>Include a copy of this form with the next communication to applicant.</i></p>	

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3654

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*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	4,057,156	11-08-77	Thompson et al.			
	4,090,626	05-23-78	Ebeling et al.			
	4,091,944	05-30-78	Gollnick			
	4,096,959	06-27-78	Schaffer			
	4,113,125	09-12-78	Schiller			
	4,175,903	11-27-79	Carson			
	4,219,298	08-26-80	Stragier et al.			
	4,227,849	10-14-80	Worthington			
	4,230,359	10-28-80	Smith			
	4,237,857	12-09-80	Sharp, Sr.			
	4,295,776	10-20-81	Payne et al.			
	4,313,707	02-02-82	Bingman et al.			
	4,345,868	08-24-82	Rizzo et al.			
	4,348,147	09-07-82	Helm			
	4,363,588	12-14-82	Stickney			
	4,372,726	02-08-83	Lutz			
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	4,461,607	07-24-84	Smith			
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	4,527,939	07-09-85	Suarez			
	4,538,951	09-03-85	Yeazel et al.			
	4,543,028	09-24-85	Bell et al.			
	4,548,542	10-22-85	Reese			
	4,557,658	12-10-85	Lutz			
	4,566,840	01-28-86	Smith			
	4,575,300	03-11-86	George			
	4,597,710	07-01-86	Kovats			
	4,597,712	07-01-86	Smith			
	4,669,940	06-02-87	Engelhardt et al.			
	4,699,557	10-03-87	Barnes			
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	4,715,767	12-29-87	Edelhoff et al.			
	4,722,658	02-02-88	Wurtz et al.			
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	4,936,732	06-26-90	Naab et al.			
	4,966,514	10-30-90	Knapp			
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	4,992,018	02-12-91	Prout et al.			
	5,002,450	03-26-91	Naab			
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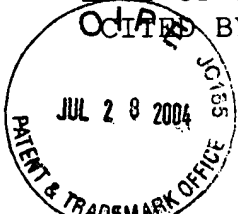
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	20030099529	05-29-03	Arrez			

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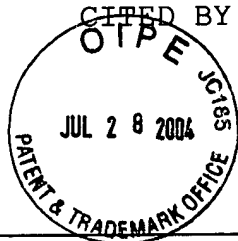
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	3,211,312	10-12-65	J. P. Miller			
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	2,824,658	02-25-58	W. A. Beasley			
	5,607,277	03-04-97	Zopf			
	2,480,959	09-06-49	H.E. Presnell			
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	WO92/01612	02-06-92	Stephen Holton			
	WO93/25457	12-23-93	David Borwning			
	WO94/21540	09-29-94	Jerald Zanzig			
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	EP0 312 900	04-26-89	Bergomi S.p.A.			
	EP0 405 428	01-02-91	Georg, Edgar			
	DE1 226 035	09-29-66	W. Abitz et al.			
	SU1 253 892		(In Russian)			
	DE2 051 270	10-19-70	Jackisch, W.			
	BE 510235	04-15-52	R. Rougement			
	DN 82300	06-28-54	Tomrer Svend et al			
	2 080 757 A	02-10-82	V.I.B. S.r.l.			
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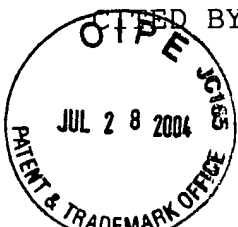
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(1) Perkins Mfg. Brochure: "The Original Rotary Tuckaway," Model D6080-20K, (2 pages) (2) Zöller-Kipper GMBH Brochure "Zöller System," (11 pages) (3) Bayne Brochure Thinline® Grabber Lifter, Model GTLS 1110, undated, (2 pages) (4) Zarn Model "D" sales brochure, printed prior to March 20, 2002 (5) Taskmaster Lifter features/specification from: http://www.baythinline.com/products-taskmaster.htm (6) Arrez et al., U.S. Patent Application Serial No. 10/767,041, filed January 29, 2004, entitled "Heavy Duty Cart Lifter." (7) Arrez et al., U.S. Patent Application Serial No. 10/691,989, filed October 23, 2003, entitled "Receptacle Lifter With Retractable Gripper Arms." (8) U.S. Patent Application Serial No. 10/718,336, filed November 20, 2003, entitled "Front Mounted lifter for Front Load Vehicle."

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